

INFORMATION SHEET

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Detroit District

FILE NUMBER: 04-157-027-0

Date October 22,
: 2004

**PROJECT REVIEW/DETERMINATION
COMPLETED:**

**In the office
(Y/N)**

N **Date**
:

**At the project
site (Y/N)**

Y **Date** 21
: Oct
2004

PROJECT LOCATION INFORMATION:

State: Indiana

County: Noble

Center coordinates of site by latitude & longitude lat:41-15-59.5440 lon:85-27-46.8000
coordinates:

Approximate size of site/property (including
uplands) in acres 10 acres

Name of waterway or watershed: Isolated Wetland

Type of Aquatic Resource ¹ :	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear Feet	Unknown
Lake									
River									
Stream									
Mudflat									
Sandflat									
Wetlands		x							
Slough									
Prairie Pothole									
Wet Meadow									
Playa Lake									
Vernal Pool									
Natural Pond									
Other Water (identify type)									

¹Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Inspector: _____

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Migratory Bird Rule Factors ¹	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able to Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?					x
Is or would be used as habitat by other migratory birds that cross state lines?			x		
Is or would be used as habitat for endangered species?					x
Is used to irrigate crops sold in interstate commerce?				x	
¹ Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.					

TYPE OF DETERMINATION:
 Preliminary
 Or Approved
 X

ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 site conditions; paragraphs 2-3 rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 site information on waters of the U.S. occurring onsite):

The wetlands are in a woodlot in rolling terrain. The woodlot is nestled down among hills on all sides and no water flows out of the wetlands to the outside drainage network. The wetlands are small and entirely on the private land of one individual. There is no nexus to interstate commerce. Post-SWANCC, they are isolated and outside Corps jurisdiction.

TALLY Of Wetland Acreage:

Jurisdictional Waters: 0.00 acres
Isolated Waters not under COE Jurisdiction:
 Wetland A: 0.5 acres
 Wetland B: 0.7 acres
 Wetland C: 0.1 acres
 Wetland D: 0.2 acres

Total: 1.5 acres isolated per the SWANCC Supreme Court Decision